#3

DECLARATION AND POWER OF ATTORNEY

a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

OPTICALLY PUMPED, SURFACE-EMITTING SEMICONDUCTOR LASER DEVICE AND METHOD FOR THE MANUFACTURE THEREOF

Case No.	P01,0121	, the specification of	which	
,	check	Application Serial No.	, as	
I including	hereby state that I hav the claims as amended	e reviewed and understand by any amendment referred	the contents of the above identified specification, d to above.	
I me to be 1 1.56.1	acknowledge the duty material to the patentab	to disclose to the United Statistics of this application in a	ates Patent Office all information which is known to ecordance with Title 37, Code of Federal Regulations	s,
before my or our inv sale in the has not be any count assigns mo- certificate	or our invention there rention thereof or more united States of Amer en patented or made the ry foreign to the United ore than twelve months on this-invention-has	of, or patented or described than one year prior to this rica more than one year prior the subject of an inventor's c d States of America on an a s prior to this application, an	s ever known or used in the United States of Americal in any printed publication in any country before my application, that the same was not in public use or or to this application, and I believe that the invention ertificate issued before the date of this application in pplication filed by me or my legal representatives or and that no application for patent or inventor's and that no application for patent or inventor's ceign to the United States of America prior to this cept as identified below:	,
application		tor's certificate listed below	35, United States Code, 119 of any foreign	
	lumber	Country	Date	
	00 26 734.3 01 18 079.4	Germany Germany	May 30, 2000 February 20, 2001	
before tha	also identified below ar t of the above listed ap trior Foreign Application	plication on which priority	atent or inventor's certificate having a filing date is claimed:	
	lumber	Country	Date	

⁽b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

⁽¹⁾ It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

⁽²⁾ It refutes, or is inconsistent with, a position the applicant takes in:

⁽i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:

Prior Foreign Application(s)

Number Country Date

And I hereby appoint all Attorneys Identified by United States Patent & Trademark Office Customer Number 26574, who are all members of the firm of Schiff Hardin and Waite.

Telephone 312/-258-5500 Patent Department

my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be forwarded to:

Schiff, Hardin & Waite
Atten: Patent Department
6600 Sears Tower, Chicago, Illinois 60606 -6473
Customer Number 26574

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole of	or first inventor,TONY ALBRECHT	_
Inventor's signatur	eDate	
Residence	Regensburg, Germany	_
Citizenship _	Germany	_
Post Office Addres	s Franz-von Taxis-Ring 12	
_	93049 Regensburg, Germany	_
Full name of secon	d joint inventor NORBERT LINDER	
		-
Inventor's signatur	e Norbert Lunder Date 10 July 01	
Residence	Regensburg, Germany	_
Citizenship	G	
Post Office Addres	s Boessnerstrasse 25. Keilbergstr. 31	- 1 W
_	-93049 Regensburg, Germany 93173 Weuzenbach, Germany	- NC
_	Boessnerstrasse 25. Keilbergstr. 31 93049 Regensburg, Germany 93173 Wenzenbach, Germany	- 10 July 01
		·
Full name of third		
(i	f any) JOHANN LUFT	
Inventor's signature	e Date	
Residence	Wolfsegg, Germany	_
Citizenship	Germany	
Post Office Addres		
	93195 Wolfsegg, Germany	_

DECLARATION AND POWER OF ATTORNEY

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OPTICALLY PUMPED, SURFACE-EMITTING SEMICONDUCTOR LASER DEVICE AND METHOD FOR THE MANUFACTURE THEREOF

Case N	o. <u>P01,0121</u>	, the specification of which	
	(check one)	is attached hereto. was filed on Application Serial No. and was amended on (if applicable)	, as
includir	I hereby state that I have ag the claims as amended by	reviewed and understand the cont by any amendment referred to abo	ents of the above identified specification, ve.
me to b	I acknowledge the duty to material to the patentabil	o disclose to the United States Pate lity of this application in accordance	ent Office all information which is known to ce with Title 37, Code of Federal Regulations,
or our i sale in t has not any cou assigns certifica	my or our invention thereon nvention thereof or more the United States of Ameri been patented or made the intry foreign to the United more than twelve months ate on this invention has be	of, or patented or described in any than one year prior to this applicat ca more than one year prior to this subject of an inventor's certificat States of America on an application prior to this application, and that r	nown or used in the United States of America printed publication in any country before my ion, that the same was not in public use or on a application, and I believe that the invention in the insued before the date of this application in the filed by me or my legal representatives or no application for patent or inventor's the United States of America prior to this identified below:
applicat		or's certificate listed below	ted States Code, 119 of any foreign
	Number	Country	Date
	100 26 734.3 101 18 079.4	Germany Germany	May 30, 2000 February 20, 2001
		lication on which priority is claim	inventor's certificate having a filing date ed:
	Number	Country Date	

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A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.



If no priority is claimed, I have identified all foreign patent applications filed prior to this application:

Prior Foreign Application(s)

Number Country Date

And I hereby appoint all Attorneys Identified by United States Patent & Trademark Office Customer Number 26574, who are all members of the firm of Schiff Hardin and Waite.

Telephone 312/-258-5500 Patent Department

my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be forwarded to:

Schiff, Hardin & Waite
Atten: Patent Department
6600 Sears Tower, Chicago, Illinois 60606 -6473
Customer Number 26574

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or fi	rst inventor, TONY ALBRECHT		
Inventor's signature		Date	
Residence	Regensburg, Germany		
Citizenship	Germany		
Post Office Address	Franz-von Taxis-Ring 12		
	93049 Regensburg, Germany		
Full name of second jo	int inventor NORBERT LINDER		
Inventor's signature		Date	···
Residence	Regensburg, Germany	Datc_	
Citizenship	Germany		
Post Office Address	Boessnerstrasse 25		
	93049 Regensburg, Germany		
Full name of third join	t inventor,		
(II all	y) JOHANN LUFT		
Inventor's signature	In Ch	Date_	10.07.01
Residence	Wolfsegg, Germany		
Citizenship	Germany		
Post Office Address	Ahornstrasse 1		
	93195 Wolfsegg, Germany		



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"Optically pumped, surface-emitting semiconductor laser device AND METHOD FOR THE MANUFACTURING THEREOF"

Case No	121	the specification of which	
		is attached heroto.	
(cheek	<u>x</u>	was filed on April 2, 2001	25
one)		Application Serial No09/824,086	
		and was amended on	
		(if applicable)	
		reviewed and understand the comtants of the abo by any uncodinent referred to above.	ove identified specification,
		o disclose to the United States Patent Office all i of this application in accordance with Title 37, C	
1.56,1			
before my or our into our invention thereo in the United States been patented or ma country foreign to the more than twelve mu invention has been I my legal representation.	vention thereof of or more than of America an de the subject the United State onths prior to t lied in any cou- lives or assigns im foreign pri-	the lieve this invention was ever known or used in any printed or described in any printed publication one year prior to this application, that the same one than one year prior to this application, and I I of an inventor's certificate issued before the date as of America on an application filed by me or my his application, and that no application for paten many foreign to the United States of America prior, except as identified below: only benefits under Title 35, United States Code	tion in any country before my or was not in public use or on sale believe that the invention has not to finis application in any y legal representatives or assigns to inventor's certificate on this or to this application by the or
	àr Ybblication tent ot fuvento	r's certificate listed below	
Number	Country		
100 26 734.	3 German	y . May 30, 2000	
101 18 079.			
at of the above lists		foreign application for patent or inventor's certifion which priority is claimed: (6)	icate having a filing date before
Number	Country	Date	
			•

⁽b) Under this section, information is westerful to paternability when it is not contailable to information already of record or being made of record to the application, and

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And I hereby appoint all Attorneys identified by United States Patent & Trademark Customer Number 26574, who are all members of the firm of Schiff Hardin & Wate

Telephone: 312/258-5500 Patent Department my amoracys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office competed therewith and direct that all correspondence be forwarded

> Schiff Hardin & Waite Petent Department 6600 Sears Tower, Chicago, Illinois 60606

CUSTOMER NUMBER 26574

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Full name of so	le or first in	PERIDIT.		
•	(if any)	Tony ALBRECHT		
Inventor's signat Residence	nureX	Tour Albert	Dare	02.08.01
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				·
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	(if any)	Norbert LINDER		
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Full name of third	inventor.		,	
C	if any)	Johann LUFT		
Inventor's signature	P	·	Date	
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